

Application No. 10/612,915
Amdt. Dated 05 August, 2005
Reply to Office Action of 06 April, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

Claim 1. (currently amended) A wallpaper display system for displaying samples of wallpaper, comprising:

(a) a display stand having a frame and at least one panel secured to the frame, the at least one panel having a front surface;

(b) a plurality of wallpaper display samples affixed to the front surface of the at least one panel in a pre-selected pattern, wherein each of the display samples comprises a piece of wallpaper having a front surface with a selected appearance and texture, and wherein the pattern is selected to expose all of the front surface of each of the display samples for display;

(c) a plurality of pre-cut wallpaper take home samples, wherein each of the take home samples is correlated with one of the display samples, wherein the take home samples are sized to be substantially smaller than the display samples; and

(d) a plurality of containers sized and shaped for removably holding a supply of the take home samples, wherein each of the containers is secured to the at least one panel in front of a pre-selected portion of one of the display samples so as to expose that a significant portion of each of the display samples remains exposed for visual and tactile examination.

Claim 2. (original) The display system of claim 1, wherein the front surface is generally vertically extending.

Claim 3. (original) The display system of claim 1, wherein the significant portion of the display sample comprises at least fifty percent of the display sample.

Claim 4. (original) The display system of claim 1, wherein the at least one panel comprises securing means for removably securing the panel to said frame.

Claim 5. (original) The display system of claim 1, wherein said containers are composed of a transparent material.

Claim 6. (previously presented) The display system of claim 1, wherein said at least one panel comprises a plurality of transversely extending panels, the panels having generally vertically extending front surfaces.

Claim 7. (original) The display system of claim 1, wherein the pattern is selected to arrange said wallpaper display samples in a grid comprised of columns and rows and wherein each wallpaper display sample has a dominant color.

Claim 8. (original) The display system of claim 7, wherein each wallpaper display sample has a dominant color and wherein the pattern is selected so that the dominant color of each wallpaper display sample in a given column or row

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corresponds generally to a visible color band on a natural rainbow, each of said columns or rows representing a single such color band.

Claim 9. (original) The display system of claim 8, wherein each wallpaper display sample has a shade and wherein the pattern is selected to arrange the samples in progressively darker shades in a given column or row.

Claim 10. (original) The display system of claim 1, wherein each of the wallpaper display samples has a dominant color and a shade, and wherein the pattern is selected to organize the wallpaper display samples according to said dominant color and said shade.

Claim 11. (withdrawn) The display system of claim 1, wherein

(a) the at least one panel comprises at least eight panels;

(b) the frame is free standing and comprises four upstanding members arranged at approximately ninety-degree intervals about a vertically extending notional central axis, each of said upstanding members projecting outwardly from said notional central axis, and;

(c) each of said upstanding members has at least two sets of mounting members for receiving said at least eight panels in a configuration wherein at least two panels are mounted on each upstanding member in a substantially oppositely faced configuration.

Claim 12. (original) The display system of claim 1, further comprising a sample book.

Claim 13. (original) The display system of claim 1, further comprising a plurality of order forms.

Claim 14. (original) The display system of claim 1, further comprising a plurality of brochures, and a holder attached to the frame for holding the brochures.

Claims 15 - 20 (cancelled)

Claim 21. (currently amended) A wallpaper display system for displaying samples of wallpaper, comprising:

(a) a display stand having a frame and at least one panel secured to the frame, the at least one panel having a front surface;

(b) a plurality of wallpaper display samples affixed for display to the front surface of the at least one panel in a pre-selected pattern such that substantially all of each of the display samples is exposed for display;

(c) a plurality of pre-cut wallpaper take home samples wherein each of the take home samples is correlated with one of the display samples; and

(d) a plurality of containers sized and shaped for removably holding a supply of the take home samples, wherein each of the containers is

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secured to the frame in close proximity to one of the display samples so as to visually associate the supply of take home samples therein each of the containers with one of the display samples, correlated therewith, the supply of take home samples containers being sized and located so as to ~~expose that~~ at least a significant portion of each of the display samples remains exposed for visual and tactile examination.

Claim 22. (previously presented) The display system of claim 21, wherein the front surface is generally vertically extending.

Claim 23. (previously presented) The display system of claim 21, wherein the pattern is selected to arrange said wallpaper display samples in a grid of columns and rows.

Claim 24. (withdrawn) The display system of claim 21, wherein the frame is free standing and comprises four upstanding members arranged at approximately ninety-degree intervals about a vertically extending notional central axis, each of said upstanding members projecting outwardly from said notional central axis, each of said upstanding members having at least two substantially oppositely faced display surfaces for displaying the wallpaper display samples.

Claim 25. (previously presented) The display system of claim 21, wherein the take home samples are sized to be substantially smaller than the display samples.

Claim 26. (currently amended) A wallpaper display system for displaying samples of wallpaper, comprising:

(a) a display stand having a frame with a vertically extending mounting surface;

(b) a plurality of wallpaper display samples affixed to the mounting surface in a pre-selected pattern;

(c) a plurality of pre-cut wall paper take home samples correlated with the display samples; and

(d) a plurality of containers containing devices sized and shaped for removably holding a supply of the take home samples, wherein the containers containing devices are mounted onto the frame and so as to present the take home samples in a generally vertically extending fashion, each of the containing devices being located proximate to one of the display samples so as to visually associate each of the containers with one of the plurality of wallpaper display samples the supply of take home samples contained therein with the display samples correlated therewith.

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Furthermore, the construction of the Schell carpet sample display rack is quite different from that of the claimed wallpaper display rack. In the case of the Schell carpet sample display rack, the display samples are displayed in the form of books of display samples that are mounted on a vertically extending side wall, whereas the take home samples are displayed in a series of inclined trays that extend along the front wall of the display rack. In the case of the books of display samples, most of each of the display samples is covered up by the preceding sample, except for the sample on top. Thus, a prospective consumer would first have to flip through one or more books of samples to find a sample of interest, and then walk around the display rack to the front wall to obtain a take home sample correlated with the display sample selected by the consumer.

In contrast, the display samples of the subject wallpaper display rack are not affixed to the display rack in the form of books of carpet display samples in which most of a particular display sample is covered up by another display sample. Rather, in the case of the claimed wallpaper display system, the display samples comprise pieces of wallpaper having a front surface arranged in a pattern in which substantially all of each of the display samples is exposed for display. Furthermore, amended claim 1 defines a display system in which each of the containers is secured to the panel in front of a portion of one of the display samples so that a significant portion of each of the display samples remains exposed for visual and tactile examination. We submit that the take home sample containers of Schell are not secured to the panel in front of the display samples, but rather, they are separated from the display samples in that the take home samples are displayed on the front side of the display rack whereas the display samples are displayed on a separate, side portion of the rack.

We submit that the wallpaper display system claimed in claim 1 is superior to the Schell display rack, in that in the case of the claimed display rack, consumers can see all of the display samples at a glance, without having to flip through cumbersome display sample books. Moreover, when a consumer finds a display sample that he or she likes, the consumer does not have to walk around the stand to obtain the appropriate take home sample. Rather, the consumer can reach out and select the take home sample from a container that is in close proximity to the display sample. Thus the claimed wallpaper display rack is far more convenient to use than the Schell carpet sample display rack.

Accordingly, claim 1 defines subject matter that is not obvious in view of Schell when considered alone or in combination with the other cited references.

Turning now to claim 21, we have amended claim 21 to recite that the display samples are affixed for display to the front surface of the panel such that substantially all of each of the display samples is exposed for display. We have also amended the claim to recite that each of the take home samples is correlated with one of the display samples, and that the containers are secured to the frame in close proximity to one of the display samples, so as to visually associate the supply of take home samples therein with the display sample correlated therewith. Support for these amendments can be found in paragraphs 36, 37 and 40 of the disclosure. We submit that these amendments clearly distinguish the claimed display system from the Schell display rack, since the containers for the take home samples of the Schell

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display rack are not in close proximity to the display samples. Moreover, the Schell take home samples are not visually associated with the display samples correlated therewith, as required by amended claim 21. Accordingly, claim 21 defines subject matter that is not obvious in view of Schell, when considered alone or in combination with any of the other cited references.

Claim 26 has been amended to recite therein a display system in which the containing devices are located proximate to one of the display samples, so as to visually associate the supply of take home samples contained therein with the display sample correlated therewith. We submit that this structure is not disclosed in the Schell reference, since each of the take home samples is not proximate to the correlated display sample. Furthermore, claim 26 has been amended to recite containing devices that are mounted on the frame so as to present the take home samples in a generally vertically extending fashion. Support for these amendments can be found in paragraphs 36, 37, 38 and 40 of the disclosure. These amendments distinguish the subject matter claimed in claim 26 from the Schell rack, wherein the containers for the display samples extend at approximately a 45 degree angle to the vertical. For these reasons, amended claim 26 defines subject matter which is not anticipated by or obvious in view of Schell, when considered by itself or in combination with any of the other cited references.

In response to the Examiner's indefiniteness objection, we have amended the preamble of claims 1, 21 and 26 to recite "a wallpaper display system" rather than a "display system for displaying samples of wallpaper".

In response to the Examiner's objection to the Information Disclosure Statement, we advise that the paper filed on 2 February, 2005, was filed by a third party, rather than the applicant. In particular, we note that the subject paper is entitled "Citation of Prior Art" and that it was filed by Roger Gilcrest, who is not the attorney of record. Furthermore, we note that we filed a Supplementary Information Disclosure Statement dated 31 March, 2005, bringing the Examiner's attention to the prior art listed in the citation of prior art that was not already of record. We would appreciate if the Examiner could confirm receipt of the Supplementary Information Disclosure Statement.

In response to the Examiner's objection to Figure 1, we confirm that Figure 1 is not intended to depict the elements being assembled. We submit that the subject invention is a system, and that in the case of a system, it is not necessary that each of the elements are structurally connected to each other, as long as they are functionally connected to each other.

We submit that the above amendments and submissions overcome all of the Examiner's rejections and objections, and that this application is now in a condition for allowance.

Attached under separate cover is a Petition for an Extension of Time, accompanied by the requisite fee.

Please charge any additional fees payable or credit any overpayments to our deposit account No. 02-2095.

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Favorable action on this application is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'TJ Sinnott', is written over a horizontal line.

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